State of Delaware Office of Supplier Diversity



Small Business Focus Program Application

Complete application and mail, email, or fax to:

Office of Supplier Diversity (OSD)

Small Business Focus Program

100 Enterprise Place, Suite 4 Dover, Delaware 19904-8202 Telephone: 302-857-4554

Fax: 302-677-7086 Email: osd@state.de.us

Web site: http://gss.omb.delaware.gov/osd/

State of Delaware Small Business Focus Program SBF Application Information

What is the Small Business Focus Program?

Programs aimed towards encouraging and enhancing opportunities for small business is of importance to the State of Delaware. The Governor's Supplier Diversity Council has recommended the development and implementation of a program for uniquely sized small businesses; the <u>Small Business Focus Program (SBF)</u>.

The goals of the Small Business Focus Program include:

- Increasing access to opportunities for small businesses to participate in state procurement;
- Creating a program for small businesses of a certain size;
- Certifying those uniquely sized businesses enterprises;
- Creating a Directory of these uniquely sized small businesses (it is located at: http://directory.osd.gss.omb.delaware.gov/index.shtml);
- Encourage the revising of agency Supplier Diversity Plans to access the Small Business Focus Program Directory when making under threshold procurements; and
- Measuring, analyzing, and reporting on spend for current and future procurements with uniquely sized small businesses in the Small Business Focus Program.

What Application should I use?

This is the full application for business enterprises not already certified by the Office of Supplier Diversity (OSD).

If your business enterprise is already OSD Certified as any of the following then you may use a specialize application.

MBE Minority Business Enterprise
WBE Woman Business Enterprise

VOBE Veteran Owned Business Enterprise

SDVOBE Service Disabled Veteran Owned Business Enterprise

You may obtain the special application at the OSD webpage http://gss.omb.delaware.gov/osd/.

Is there a fee for SBF Certification?

There is no fee for processing your application or for on-going certification in the Small Business Focus Program. In addition, free assistance is available if you have questions about the application or your company's qualifications; you may call the Office of Supplier Diversity at (302) 857-4554 or email at OSD@state.de.us.

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Is my business enterprise eligible?

To be eligible, a business must meet all of the following criteria:

- Be owned by U.S. Citizen(s) or Permanent Resident(s);
- Be a For-Profit business with "useful business functions";
- Be within one of the six industry sectors and at or under the eligibility size caps identified below; and
- Operate free from the control of a business larger than the eligibility size caps identified below.

Industries	NAICS ¹ sectors*	eligibility and graduation point size caps		
	(initial code numbers)	FTE	Gross sales	
		(full time equivalents)		
		Based upon a 3 year average		
Architecture &	541			
Engineering	237	none	< \$3,500,000	
Services				
Construction	23	< 250	< \$7,000,000	
Manufacturing	31			
	32	< 250	none	
	33			
Retail	42			
	44	< 25	< \$3,500,000	
	45			
Service	various	< 50	< \$3,500,000	
Wholesale	42	< 50	none	

The size cap is both an eligibility guideline and a graduation point. The size eligibility criteria are based upon one or all of the following three year averages: (1) gross sales, (2) number of full-time equivalents (employees), or (3) both. The Small Business Focus Program is for business enterprises that are 50% of the SBA² and Delaware DOT DBE size caps for the smallest size cap in each industry sector. Those numbers are identified in the chart above.

How long does this SBF Certification last?

The certification is a one (1) year certification and requires renewal annually. Why? Since the eligibility size cap is based upon one or all of the following three year averages: (1) gross sales, (2) number of full-time equivalents (employees), or (3) both, the need to verify the size of a business to check eligibility based upon a three year average is an ongoing need. The recertification affidavit materials will be provided to SBF Certified firms sixty (60) days before the expiration of their certification.

¹ North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. A NAICS code has 6 digits. The first 2 to 3 digits are used to identify the industry for the Small Business Focus Program. You can review NAICS at: http://www.census.gov/eos/www/naics/

² You can find the SBA size cap information located at: http://www.sba.gov/content/table-small-business-size-standards. It is available in PDF or excel formats.

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Benefits of Small Business Focus Program (SBF) Certification

Firms that become SBF Certified are eligible to be listed in the State of Delaware online Directory of Small Business Focus Program businesses which is posted publically on the Office of Supplier Diversity website and is available to the public as well as all state and local government agencies (it is located at: http://directory.osd.gss.omb.delaware.gov/index.shtml).

What documents do I have to provide with my application?

Documents to attach to your application (for all applicants)

- Completed application including the Notarized Small Business Focus Program Affidavit form;
- Birth certificate, permanent resident card, passport, or tribal membership documentation;
- All relevant Professional Licenses, certificates of training, and degrees held by the company or its owners/employees if required to perform that line of business (i.e. Electrician License if an electrical shop, Engineering License, Medical License, Attorney License, Hairdresser License, etcetera....);
- Copy of your State of Delaware Business License (see the Division of Revenue, Licensing and Registration website with any questions at: http://revenue.delaware.gov/services/Business_Tax/Step3.shtml) if applicable;
- Documentation of the existence of the business enterprise:
 - o For Partnerships and LLPs: A Certificate of Formation or Organization **OR** your Partnership Agreement(s) including any amendments;
 - o For LLCs: A Certificate of Formation or Organization **OR** your Operating Agreement(s) including any attachments; or
 - o For Corporations: A Certificate of Organization **OR** your Articles of Incorporation with all amendments; and most recent Stock Ledger; or
 - o For Sole Proprietor: your tax form will provide this documentation; and
- Most recent three (3) years of your firm's tax returns (gross receipts). If a sole proprietorship provide your
 personal taxes with the proper schedules or attachments (i.e. Schedule C or 1099 forms). Submitting your
 tax information provides OSD with documentation required to identify the business as eligible or not for
 this Small Business Focus Program.
- _ Unless otherwise indicated, copies of documents are sufficient.
- _ Any deficiency may delay or prevent the certification process.
- _ Certification generally takes two to four weeks and we strive to respond faster than that.
- _ An on-site visit, if requested. (The OSD office may schedule an on-site visit once the completed application and appropriate supporting documentation have been received).

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Instructions and Definitions

Ownership

The Small Business Focus Program (SBF) is based upon the size of a business entity rather than who the owners are. However, businesses in the SBF Program cannot be majority owned by one or more business entities that are larger than the eligibility size of the SBF Program.

Control

Businesses in the SBF Program cannot be controlled by a non-majority owner including but not limited to one or more business entities that are larger than the eligibility size of the SBF Program.

Useful Business Function

A useful business function is one, which results in the provision of materials, supplies, equipment or services to consumers in the State. A business acting as a conduit to transfer funds to one or more business entities that are larger than the eligibility size of the SBF Program does not constitute a useful business function unless doing so is a normal industry practice.

Reasons for denial (please note denial may include but not be limited to the below)

- a) If the majority owner(s) of the firm is one or more business entities that are larger than the eligibility size of the SBF Program.
- b) All/any securities, which constitute majority ownership and/or control of a company or firm for the purpose of establishing it as an eligible firm, must not be held by one or more business entities that are larger than the eligibility size of the SBF Program.
- c) If the business operations do not reflect the ownership shown on paper.
- d) Firm is not a for-profit business.
- e) Firm has provided false or misleading information.
- f) Control will not be deemed to exist in cases of simple majority, absentee ownership, or when a non-majority owner is a business entity that is larger than the eligibility size of the SBF Program and any are disproportionately responsible for its operation.
- g) The firm shall not be subject to any formal or informal restrictions through, for example: by-law provisions, partnership agreements, or charter requirements for cumulative voting rights or otherwise, that prevents the majority owners, without the cooperation or vote of any non-majority owner including but not limited to one or more business entities that are larger than the eligibility size of the SBF Program, from making a business decision for the firm.
- h) The certification application was submitted incomplete.

How to Apply

- _ Applications and additional information are available by calling the Office of Supplier Diversity at 302-857-4554 or visiting the web site: http://gss.omb.delaware.gov/osd/
- Complete an application for SBF Certification and provide required documentation
- _ Provide access to its business facilities and key personnel for state certification on-site visit, if requested.

State of Delaware Small Business Focus Program Frequently Asked Questions

Q: Does certification cost money?

Q: Are there any set asides for this group?

Q: Does my SBF certification expire?

A: No

A: No

A:	Yes, at the end of each year. The certification is a one (1) year certification and requires renewal annually. Why? Since the eligibility size cap is based upon one or all of the following three year averages: (1) gross sales, (2) number of full-time equivalents (employees), or (3) both, the need to verify the size of a business to check eligibility based upon a three year average is an ongoing need. The recertification affidavit materials will be provided to SBF Certified firms sixty (60) days before the expiration of their certification.
Q:	Can I be removed from the SBF Program?
A:	Yes, there are occasions when this can occur. Recertification is an annual event and if the business exceeded the eligibility guidelines then the business will graduate from the SBF Program.
Q:	Will I be notified of all procurement opportunities?
A:	No, however, the OSD encourages all businesses to build relationships with procurement officers in state agencies, municipalities, school districts, and fire departments. The OSD will share bid opportunities when they are brought to OSDs attention. We are consistently working on ways to improve communication but strongly encourage you to visit the respective resources as well.
Q:	What is the best way to communicate with the OSD?
A:	Email or telephone. You can also request to schedule a meeting.
Q:	Do I have to register with any other agency?
A:	You may choose to do so. There are agencies that have their own bidders list. Please check OSD's website for each respective agency. To ensure you are made aware of any new procurement solicitations that match your business, I encourage you to sign up for our free Vendor Notification Service. Once properly registered, if a formal solicitation bid is posted that matches your criteria, you would receive automatic electronic notification of the opportunity. Access to our free notification service can be found at: https://de.blackboardconnect.com/
O:	Will my tax/financial information be kept private?

A: The tax and or financial information provided is for state use and is protected information should the State

of Delaware receive a Freedom of Information Act (FOIA) request.

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All questions must be answered. Please type or print clearly. Questions that do not apply to your firm should be marked N/A in the space provided.

The Affidavit on page 10 must be signed before and notarized by a Notary Public. Faxed or scanned and emailed copies of the Affidavit will only be accepted if the Notary seal has the stamped seal with the expiration date visible. Otherwise, mail the original Affidavit with the raised seal to our office.

OSD use only: SBF Application Date:_____

Please return the completed application, required materials, and signed and notarized Affidavit to:

Office of Supplier Diversity

Small Business Focus Program

100 Enterprise Place, Suite 4 Dover, Delaware 19904-8202 Phone: 302-857-4554

Fax: 302-677-7086

Web site: http://gss.omb.delaware.gov/osd/

If you have any questions regarding the completion of this application, please contact us at 302-857-4554.

Note – This section must be filled out in its entirety for the application to be processed.

Incomplete applications will not be processed.

1. Business Name(s), Federal Employee Identification Number or Social Security Number (FEIN/SSN)

1. Dusiness Name(s), rederal Employee Ident	ilication Number	oi Sociai	Security Nur	inger (LETIA/2214)
Legal Name of Firm:				
Federal E.I. Number / SSN:				
Doing Business As (If applicable):				
Address line 1				
Address line 2				
City	State	State Zip Code		
E-Mail Address:				
Telephone Number:		Fax Nun	nber:	
Company Website Address:				
Date firm was established?				
Corporation Partnership (LLP)	Limited Liability	Company	V(LLC)	Sole Proprietor

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2. Provide the following ownership information for a	all owners (attach a separate sheet if necessary).
Full Name:	
Title:	
Title:	
Email Address:	
Telephone Number:	Fax Number:
Percentage of ownership:	Number of Shares Owned:
U.S. Citizen or Permanent Resident: (check one) N	o Yes
Ownership is by: <i>(check one)</i> An Individual Person If other, please describe:	Other
Primary contact (check one) No Yes If not the Primary Contact, please provide name, title, e	email, and telephone number, for the primary contact:
will be posted in the SBF Program Directory on the	ve as necessary to best describe your business offerings

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(To assis	st you in dete	rminir	ng your NAICS	ndustry Classification Code(s) go to www.co	ensus.gov/na	AICS) Code(s): aics) Note: To be eligible for dentified in the table on page 3.	
1	2		3	4	5		
6	7		8	9	10		
5. Identify the SBF Program Industries that you seek certification under? (check all that apply) Architecture & Engineering Services Retail Construction Service Manufacturing Wholesale 6. Please list your gross receipts and number of full time equivalents (FTEs) for last three years:							
	Year endi	ng	Gr	oss Sales	FTEs		
		r been	denied any Cer	rtification by OSD? (check one)	No Yes	
If Yes please explain:							
8. Are there any written, oral, or implied agreements between you or the company and (a) persons or (b) by one or more business entities that are larger than the eligibility size of the SBF Program, who are associated in any manner with the firm concerning its ownership and/or operation? (check one) No Yes If Yes please explain:							
The product of product							
9. If the	business is a	corpoi	ration or LLC, 1	please list the following	ng informat	ion:	
	shares authoriz		, <u> </u>				
	shares issued t			. 1			
By-laws	•			ng rights of the majori other documents? (chec		who are shareholders, within the lo Yes	
owners a		s, curi	rently prohibite		_	et by any of this company's tate of Delaware (i.e., license	

State of Delaware Small Business Focus Program Application Affidavit

State of Delaware Office of Supplier Diversity (OSD) Small Business Focus Program (SBF) Affidavit

Hereafter, "the Business" refers to
(Business Name)
I understand the illegal nature of receiving public or private funds or other property as a consequence of false representation as to the Small Business Focus Program eligibility status of the business and do herein certify under penalty imposed by Delaware statutes that the information provided is correct and said information herein may be used for the purposes of certifying the business as a Small Business Focus Program participant. Any false representation will be grounds for denying certification or initiating decertification in the future.
I agree to make available for inspection to the OSD any such materials that may be required to substantiate the size, degree of ownership, and control of the business. I agree to arrange for on-site inspections of the business' facilities in order to verify information provided in this document, if requested.
I agree to provide written information relative to any future change in ownership and/or management of the business to the OSD office within two weeks of the occurrence of the change. I acknowledge that failure to timely submit required change of status documentation might result in the decertification of the business.
I understand that the certification expiration is annual following the initial date of certification. I further understand that the business must apply for recertification prior to the expiration.
Type or Print Name of Owner
Signature of Owner Date
Title Subscribed and sworn to before me this day ofa.d. Month, Year
NOTARY PUBLIC IN AND FOR THE County of Notary Seal
State
My Commission Expires

Date

State of Delaware Small Business Focus Program Optional Questions

You are not required to answer the following questions and the answers will not affect your company's eligibility for certification. However, the answers may help OSD to identify business opportunities that may be suited to your company. Answers may be estimated; exact figures aren't necessary.

For all companies
What is the largest (in dollars) contract or subcontract or sale your company completed in the past 24 months?
Has your company done any business with government (federal / state / local)? (check one) _ No _ Yes
Has your company done any business with the State of Delaware? (check one) _ No _ Yes
For Construction-Related Companies Only (not including suppliers of construction materials)
What is your company's bonding capacity? \$ (indicate "unknown" if you do not know)
\$
How did you hear about the Small Business Focus Program? (check one)
OSD staff speak at an event sponsored by another organization
OSD staff at a trade show or expo
OSD's website materials published by OSD
OSD's list-serve email notification
Referred by another organization
Referred by the owner of an SBF Certified firm
Delaware state employee
Other please explain briefly: